

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
WESTERN DIVISION

JDS UNIPHASE CORPORATION BENEFITS
COMMITTEE of the JDS UNIPHASE CORPORATION
EMPLOYEE 401(k) RETIREMENT PLAN

Plaintiff/Counterclaim Defendant

v.

DOES 1 through 20, inclusive
Defendants

v.

DAVID M. KORNACKI, as Administrator of the
Estate of Kevin P. Kornacki;

Defendant/Cross Claim Plaintiff/
Counterclaim Plaintiff/Third Party Plaintiff

v.

MABEL TAVARES, an individual formerly known as
MABEL D. KORNACKI;

Defendant/Cross Claim Defendant

v.

JDS UNIPHASE CORPORATION EMPLOYEE
401(k) RETIREMENT PLAN

Third Party Defendant

Civil Action No. 05-11499-MAP

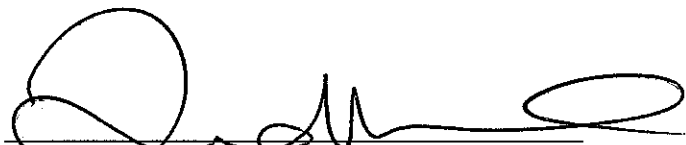
**DAVID M. KORNACKI'S CERTIFICATION REGARDING
COSTS AND ALTERNATE DISPUTE RESOLUTION**

Pursuant to Local Rule 16.1(d)(3), David M. Kornacki, as Administrator of the Estate of Kevin P. Kornacki, files this Certification Regarding Costs and Alternative Dispute Resolution.

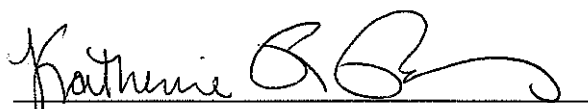
Certification Regarding Costs And Alternate Dispute Resolution

We hereby certify that we have conferred with a view to establishing a budget for the costs of conducting the full course- and various alternative courses- of the litigation; and

that we have considered the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.


David M. Kornacki

Counsel to David M. Kornacki,


David B. Crevier
Katherine R. Parsons